



# STATE OF NEVADA

Department of Conservation & Natural Resources

DIVISION OF ENVIRONMENTAL PROTECTION

Brian Sandoval, Governor

Leo M. Drozdoff, P.E., Director

Colleen Cripps, Ph.D., Acting Administrator

January 5, 2011

Irwin Kishner  
Herman Kishner Trust  
294 Convention Center Drive  
Las Vegas, NV 89109

Maryland Square Shopping Center, LLC  
c/o Tim Swickard  
Dongell Lawrence Finney LLP  
770 L St., Suite 950  
Sacramento, CA 95814

Subject: **Corrective Action Plan for Source Area Soil, Maryland Square Shopping Center**  
Facility: Al Phillips the Cleaner (former)  
3661 S. Maryland Parkway  
Las Vegas, NV  
Facility ID: **H-000086**

Dear Mr. Kishner and Mr. Swickard:

The Nevada Division of Environmental Protection (NDEP) has reviewed the revised ***Corrective Action Plan (CAP) for Source Area Soil***, prepared by Tetra Tech on behalf of the Herman Kishner Trust (Trust) and Maryland Square Shopping Center, LLC. (MSSC). This document was received electronically by the NDEP on December 14, 2010, and in hard copy on January 4, 2011. This letter provides NDEP's comments on the revised CAP.

## **Alternatives Proposed in the CAP and the Recommended Alternative**

The revised CAP evaluates four options, including (1) the "no-action alternative;" (2) excavation to groundwater for all soils containing greater than 550 micrograms per kilogram ( $\mu\text{g/kg}$ ) tetrachloroethylene (PCE) and offsite disposal, followed by in situ application of potassium permanganate (or other oxidant); (3) soil vapor extraction (SVE) and institutional control (IC); and (4) excavation to groundwater for all soils containing more than 2,600  $\mu\text{g/kg}$  PCE ("hot spots") and offsite disposal, followed by oxidation and possibly SVE.

The CAP recommends Alternative 2 (Excavation, Offsite Disposal, and Chemical Oxidation) for soil at the Property, given its overall protectiveness of human health and the environment, long-term effectiveness and permanence, rapid achievement of the proposed action level, additional treatment of PCE mass in soil and groundwater through chemical oxidation, ease of implementability, and lower cost.

## NDEP Requirements

Please provide a schedule for implementation of the recommended alternative, including all required permitting, **within 2 weeks of the date of this letter**. The schedule should include (1) date when field work will commence (include obtaining all necessary permits), (2) date of completion of field work, and (3) the date for submittal for the report documenting completion of the field work; this report should contain all data collected during implementation of the CAP for Source Area Soil.

Following NDEP review and concurrence with the proposed schedule, the NDEP will provide a letter concurring with the recommended alternative (i.e., Alternative 2).

If you have any questions or require additional information regarding this letter, contact me by telephone at (775) 687-9496 or e-mail at [msiders@ndep.nv.gov](mailto:msiders@ndep.nv.gov).

Sincerely,



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